

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THE PENSION PLAN OF LUMBER)
EMPLOYEES LOCAL 786 RETIREMENT)
FUND, MICHAEL PHILIPP, RON)
SANDACK, MICHAEL YAUGER, EDWARD)
RIZZO, STEVEN FISHER, and RICKY)
BLEVINS, as Trustees of the Fund,)

Plaintiffs,)

v.)

Case No. 1:2019-cv-7258

CHARLES HORN LUMBER COMPANY,)
d.b.a. (CHAS HORN LUMBER CO., HORN)
LUMBER, HORN CHAS LUMBER)
COMPANY, CHARLES HORN LUMBER CO,)
HORN CHAS LUMBER) and any other)
CONTROLLED GROUP MEMBERS OF)
CHARLES HORN LUMBER COMPANY and)
BRUCE SCOTT HORN,)

Defendants.)

AFFIDAVIT OF MARISSA SPALDING

Affiant, Marissa Spalding, being duly sworn on oath, deposes and states the following:

1. I am a paralegal at the firm of Laner Muchin Ltd. and over the age of 18.
2. I make this affidavit based on my personal knowledge and as a paralegal who worked on the filing of the Plaintiffs Complaint on November 4, 2019.
3. I inadvertently made two payments for Plaintiff's Initial filing fee of \$400.00 to pay.gov.
4. The Northern District of Illinois docket for case no. 1:2019-cv-7258 notates that on November 4, 2019 docket entry #1 that "filing fee \$400, receipt number 0752-16403864" was processed.

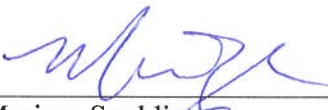
5. Laner Muchin, Ltd. received an American Express Business Gold Rewards Invoice with a closing date of 11/06/19 showing two charges of \$400 both from November 4, 2019. One transaction with a receipt number of 0752-16403864 that matches the docket entry from Plaintiff's processed filing fee and another transaction with receipt number 0752-16403690 that doesn't match the docket entry from Plaintiff's processed filing fee.

6. Other than the aforementioned receipts regarding my initial filing of case no. 1:2019-cv-7258 Laner Muchin, Ltd. had no other filings processed or conducted through the Northern District of Illinois or pay.gov on November 4, 2019.

7. At this time we are requesting a refund of the filing fee of \$400.00 charged on November 4, 2019 with receipt number 0752-16403690 that was not processed by the court and instead was an inadvertent mistake on my part during my filing of Plaintiff's Complaint and Initial Filing Fee with the court and pay.gov.

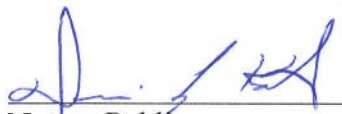
FURTHER AFFIANT SAYETH NOT.

Dated: November 21, 2019



Marissa Spalding

Subscribed and sworn to before me this
21st day of November 2019.



Notary Public

